

be read on three several days in each House be suspended, and said Rule is hereby suspended; and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate, March 28, 1961: Yeas 22, Nays 0; April 26, 1961 Senate concurred in House amendments: Yeas 30, Nays 0; April 27, 1961, by unanimous consent vote by which House amendments were adopted reconsidered; April 27, 1961, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 2, 1961, House granted request of Senate; May 4, 1961, Senate adopted Conference Report: Yeas 28, Nays 0; passed the House, April 25, 1961, with amendments: Yeas 148, Nays 0; May 2, 1961, House granted request of Senate for appointment of Conference Committee; May 4, 1961, House adopted Conference Report: Yeas 137, Nays 1.

Approved May 10, 1961.

Effective May 10, 1961.

STATE BOARD OF WATER ENGINEERS—TRANSFER OF DUTIES

CHAPTER 115 ³²

S. B. No. 398

An Act transferring to the State Board of Water Engineers the powers and duties originally vested in the State Reclamation Engineer under Chapters 5 and 6, Title 128, Revised Civil Statutes of Texas, 1925, as amended, and under General and Special Laws, and all powers and duties of the State Reclamation Engineer vested by law in the Commissioner of the General Land Office by Senate Bill No. 281, Acts of the 46th Legislature, Regular Session, 1939, Title: Water, Chapter 1, page 704 (codified as Article 5421h—1, Vernon's Annotated Civil Statutes of Texas), herein referred to as Chapter 1; and transferring all books, papers, records, property and pending business pertaining to the exercise of the powers and duties under said Chapter 1; repealing said Chapter 1 to the extent it is in conflict herewith; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. All powers and duties formerly vested by law in the State Reclamation Engineer under the provisions of Chapters 5 and 6, Title 128, Revised Civil Statutes of Texas, 1925, as amended, and under any other provisions of General or Special Law, and all powers and duties of the former State Reclamation Engineer now vested by law in the Commissioner of the General Land Office by Senate Bill No. 281, Acts of the 46th Legislature, Regular Session, 1939, Title: Water, Chapter 1, page 704 (codified as Article 5421h—1, Vernon's Annotated Civil Statutes of Texas), hereinafter referred to as Chapter 1, shall be transferred to and vested in the State Board of Water Engineers on the first day of September, 1961, and shall thereafter be executed and performed by said Board, or the successor to the powers and duties of the State Board of Water Engineers. Every act performed in the execution of such powers and duties by the Board of Water Engineers shall be deemed to have the same force and effect as if done by the State Reclamation Engineer.

³². Vernon's Ann.Civ.St. art. 5421h—2.

Tex.Sess.L. '61 Bd.Vol.—15

Sec. 2. Upon the taking effect of this Act, all books, papers, records, property (not needed by the General Land Office) and pending business theretofore made, used, acquired or conducted by the Commissioner of the General Land Office in the exercise of the powers and duties under said Chapter 1 shall be transferred to and become the property and responsibility of the State Board of Water Engineers.

Sec. 3. The provisions of said Chapter 1 in conflict with this Act are repealed to the extent of such conflict only.

Sec. 4. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications to the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 5. The fact that the duties of the original State Reclamation Engineer now vested in the General Land Office are more properly the duties of the State Board of Water Engineers; the fact that the joining of these functions will permit a more efficient operation of the State Board of Water Engineers; and the further fact of the crowded condition of the calendar create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended; and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate, April 11, 1961: Yeas 30, Nays 0; passed the House

April 27, 1961, by a non-record vote.

Approved May 10, 1961.

Effective 90 days after May 29, 1961, date of adjournment.

CITIES AND TOWNS—INCORPORATION—VALIDATION

CHAPTER 116³³

S. B. No. 250

An Act validating the incorporation of cities and towns heretofore incorporated or attempted to be incorporated under the General Laws of Texas and having a population according to the Federal Census of 1960 of not less than 5100 nor more than 5300; validating the boundary lines thereof; validating governmental proceedings; validating the adoption of Home Rule Charter; validating the charter so adopted and providing that such charter so adopted shall constitute the Home Rule Charter of such cities; validating elections held for the election of members of the governing body of such cities and the assumption of office; providing that this Act shall not be construed as validating the adoption of any charter if the validity of the charter or the charter adoption proceedings are involved in litigation on the effective date of this Act and such litigation is ultimately determined against the validity thereof; providing a savings clause; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The incorporation proceedings of all cities and towns in this state heretofore incorporated or attempted to be incorporated under the General Laws of Texas, and having a population according to the Federal Census of 1960 of not less than 5100 nor more than 5300, whether

33. Vernon's Ann.Civ.St. art. 974d—S.